

REMARKS

A Petition for Extension of Time is concurrently filed herewith.

Reconsideration and allowance in view of the foregoing amendments and the following remarks are respectfully requested.

Claim 9 has been cancelled, and claims 1, 3, 5 and 10 have been amended. Claims 1-8 and 10-11 are pending in this application.

Claim 3 has been objected to because of the informalities. In response, Applicant has reviewed and amended claim 3 in view of the Examiner's suggestion. It is believed that claim 3 is now in a proper format. Withdrawal of the objection to claim 3 is respectfully requested.

Claims 3 and 5 stand rejected under 35 U.S.C. §112, second paragraph. Applicant has deleted the phrase "such as" in order to make the claims definite. Applicant submits that the claims are now in full compliance with 35 U.S.C. §112, second paragraph. Withdrawal of the rejection is respectfully requested.

Claims 1-11 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Applicants' Admitted Prior Art of Figure 1 (hereinafter "AAPA") in view of Argos, Jr. et al. (hereinafter "Argos"). Applicant traverses the rejection for the following reasons.

Applicant submits that AAPA and Argos, either alone or in combination, fail to disclose or teach all of the features of the

claimed invention. In particular, the references neither disclose nor suggest a barrier layer formed on top of a metal interconnection, as recited in claim 1.

Argos discloses a passivation layer 34 formed on a SiO₂ layer 32, which is formed on a metallization layer 30 for connecting a capacitor structure to the transistor. According to Argos, it is difficult to prevent hydrogen generated while forming the SiO₂ layer 36, since the passivation layer 34 is formed on the SiO₂ layer after the formation of the SiO₂ layer. That is exactly the reason why the claimed invention is proposed. According to the claimed invention, the first barrier layer 238 formed on the metal interconnection 234, 236 is provided to prevent the capacitor structure from hydrogen generated in the subsequent CVD process. Therefore, it is believed that Argos effectively teaches away from the claimed invention.

Therefore, the claimed invention is not made obvious over AAPA and Argos under 35 U.S.C. §103(a). Nonetheless, Applicant has canceled claim 9 and amended claim 1 to include all of the limitations of canceled claim 9 in order to clearly distinguish the claimed invention over the references cited by the Examiner and to expedite the patenting process.

Applicant submits that the references clearly fail to disclose or teach the newly added limitations in claim 1.

Therefore, Applicant submits that claim 1 and its dependent claims 2-8 and 9-11 are not made obvious over Applicants' Admitted Prior Art of Figure 1 in view of Argos, Jr. et al. under 35 U.S.C. §103(a).

All objections and rejections having been addressed, it is respectfully submitted that claims 1-8 and 9-11 are now in condition for allowance and a notice to that effect is earnestly solicited. If any issues remain to be resolved, the Examiner is cordially invited to telephone the undersigned attorney at the number listed below.

Respectfully submitted,

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